

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ANNETTE BUSH,)	Case No. 5:09-cv-1876
)	
Plaintiff,)	Judge Dan Aaron Polster
)	
vs.)	<u>MEMORANDUM OF OPINION</u>
)	<u>AND ORDER</u>
SUMMA HEALTH SYSTEM, <i>et al.</i>,)	
)	
Defendants.)	

On April 7, 2010, Plaintiff electronically filed a letter detailing a discovery dispute and requesting a teleconference with the Court. Soon after the letter was filed, the parties contacted the Court regarding a separate issue that had arisen in the midst of Plaintiff's deposition. While resolving the deposition issue, the Court determined that, because litigation of the instant case was not proceeding smoothly, the parties and counsel would benefit from an attempt at resolution. Accordingly, the Court scheduled a settlement conference for 2:30 on the afternoon of April 7, to be attended by the parties and counsel. Prior to the settlement conference, the Court received, via facsimile, Defendants' response to Plaintiff's letter.

While the Court was unable to settle the case, the Court worked through the discovery disputes presented by Plaintiff in its April 7 letter. The following are the Court's rulings:

- Defendants shall provide electronic postings of all available positions at Summa Health Systems for 2007 and 2008, if they can be retrieved.
- Defendants shall provide a list of all Cath Lab personnel terminated or laid-off from 2006 - 2008, subject to a protective order.
- Defendants shall provide performance evaluations and disciplinary records of Tammy Jones, Sheila Dodd and Jan Oberlin Hackathorn, subject to a protective order.

- Defendants shall provide all reports of errors of commission or omission made by Plaintiff or complaints against Plaintiff made by any physician, co-worker, or patient.
- Defendants shall provide all complaints made by physicians against other Cath Lab employees from 2006 - 2008.

IT IS SO ORDERED.

/s/Dan Aaron Polster April 7, 2010

Dan Aaron Polster

United States District Judge